FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPEAL NO.1083 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.D.R.More APP for the Appellant.

Mr.B.G.Tangsali for the Respondent.

Coram : R.S.Mohite,J

Date : 17th January, 2006.

PC

1. This is an appeal filed by the State impugning judgement and order passed by the Special Judge, Thane, on 9.5.2003 acquitting the accused under Sections 7, 13(1)(d) r/w Section 13(2) of the Prevention of Corruption Act 1988. On perusal of the impugned judgment and order, it is seen that the acquittal is based on cogent and acceptable reasons. The evidence of the complainant indicates that he went inside the forest naka where the accused was present. The evidence of the panch indicates that the complainant kept an amount of Rs.20/-

on the table. He has not stated anything about the demand or acceptance. The complainant himself stated in the evidence that he paid Rs.20/- as per usual practice. In the circumstances, view taken is a possible view. Hence, leave is refused and consequently, appeal stands dismissed.

(R.S.Mohite,J)